

UNITED STATES DISTRICT COURT
THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

MAR 04 2020
JULIA C. DUDLEY, CLERK
BY: s/ H. McDONALD
DEPUTY CLERK

UNITED STATES OF AMERICA)
)
v.) Court No. 4:20CV00015
)
697, 701, & 709 DANIEL ROAD, AXTON,)
VA 24054)

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Now comes the plaintiff, United States of America, by and through its attorney, Krista Consiglio Frith, Assistant United States Attorney, and brings this Complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is a civil action *in rem* brought to forfeit and condemn certain real property assets to the use and benefit of the United States, pursuant to 21 U.S.C. § 881(a)(7), for violations of 21 U.S.C. §§ 841(a)(1) and 846.

THE DEFENDANTS *IN REM*

2. The defendant is real property are known and numbered as

- a) 697, 701, and 709 Daniel Road, Axton, VA 24054 with all appurtenances, improvements, and attachments thereon, including any and all single and double-wide homes and is more fully described in Attachment A. The record owner of the defendant real property is Marianna Lea Burnette Davenport and the untitled owner is Jose Alfredo Santa Cruz Godinez.

JURISDICTION AND VENUE

3. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

4. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b).

5. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1), because the acts giving rise to this forfeiture occurred in this district and pursuant to 28 U.S.C. § 1395, because the property is located in this district.

6. The defendant real property has not been seized but is located within this district and within the jurisdiction of the Court. The United States does not request authority from the Court to seize the defendant real property at this time. The United States will, as provided by 18 U.S.C. § 985(b)(1) and (c)(1):

- a. post notice of this action and a copy of the Complaint on the defendant real property, and
- b. serve notice of this action on the defendant real property owner, and any other person or entity who may claim an interest in the defendant, along with a copy of this Complaint, and
- c. file a lis pendens in county records of the defendant real property's status as a defendant in this *in rem* action.

BASIS FOR FORFEITURE

7. The defendant property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(7), as property which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of 21 U.S.C. § 841.

FACTS

8. Local land records show Defendant 697, 701, and 709 Daniel Road, Axton, Virginia, titled in the name of Marianna Davenport since July 29, 2004.

9. Although there are three addresses for the property at 697, 701, and 709 Daniel Road, Axton, Virginia, they are effectively one piece of property with one dwelling.

10. During the past three years, Special Agents of the United States Drug Enforcement Administration (DEA) Roanoke Resident Office (RRO) have investigated the cocaine and methamphetamine trafficking activities of Jose Alfredo Santa Cruz GODINEZ and others.

11. This investigation identified a criminal Drug Trafficking Organization (DTO) that was being supplied with multiple pound quantities of cocaine and methamphetamine by the Jalisco Cartel New Generation (CJNG) in Mexico for distribution in the Axton, Virginia, area. GODINEZ is an upper-level cocaine and methamphetamine dealer within the DTO.

12. In May 2016, the Federal Bureau of Investigation (FBI) Portland, Oregon Field Division Office intercepted calls regarding a methamphetamine shipment from Francisco NUNO-URENDA to GODINEZ. The drug courier was to meet for the delivery on May 25, 2016, at Family Dollar, 3465 A.L. Philpott Highway, Axton, Virginia, and would be driving a black Ford Taurus.

13. Law enforcement observed a Nissan with Virginia license plate No. VMD-3834 arrive at the Family Dollar on May 25, 2016. The vehicle was registered to Luis Manuel GONZALEZ of 709 Daniel Road, Axton, Virginia.

14. FBI intercepted a call between NUNO-URENDA and GODINEZ indicating an undercover police offer had been observed at the Family Dollar. The courier was then instructed to stay at a local motel and make delivery the following day.

15. On May 26, 2019, the NUNO-URENDA instructed the courier to make the delivery at Gravely Salvage Yard located at 820 Daniel Road, Axton, Virginia, which is approximately 200 yards from Defendant property.

16. Law enforcement observed a red Ford truck, license plate No. TX257-207, registered to Carlos VALERIA-GONZALEZ of 709 Daniel Road, Axton, Virginia, suspiciously traveling through the area of Gravely Salvage Yard as if conducting counter surveillance.

17. Around the same time, law enforcement located the courier's black Ford Taurus parked at the Comfort Inn in Collinsville, Virginia. Law enforcement then observed two women drive the black Ford Taurus toward 709 Daniel Road, Axton, Virginia.

18. Prior to arriving at 709 Daniel Road, Axton, Virginia, Virginia State Police (VSP) conducted a traffic stop of the black Ford Taurus for a window tint violation. A search of the vehicle revealed 4.8 pounds of methamphetamine concealed in hollow, decorative, ceramic owls in the vehicle, which were intended for delivery to 709 Daniel Road, Axton, Virginia.

19. On March 23, 2017, a traffic stop in Mobile, Alabama, resulted in the seizure of \$229,560 in U.S. currency. The driver of the vehicle received a text message from 276-734-7274 shortly before being pulled over, which read, "709 Daniel Rd Axton VA 24054."

20. On October 28, 2017, Marianna Davenport sold 697, 701, and 709 Daniel Road, Axton, Virginia to Graciela Santacruz-Godinez for \$36,000.00 in cash.

21. Davenport and Santacruz-Godinez signed a sale agreement, but it was not recorded in local land records.

22. Santacruz-Godinez is GODINEZ's sister.

23. On December 4, 2017, Guadalupe IBARRA-Ayon drove from the Winchester, Virginia, to 709 Daniel Road, Axton, Virginia, where he obtained approximately five kilograms of cocaine.

24. On February 1, 2018, Eduardo HERNANDEZ-Sanchez drove from 1579 Robertson Ridge Road, Axton, Virginia, to 131 Kimway Drive Axton, Virginia, where he met GODINEZ, who delivered six kilograms of cocaine to HERNANDEZ-Sanchez. Law enforcement observed HERNANDEZ-Sanchez place the package of cocaine in the bed of the Chevrolet Avalanche HERNANDEZ-Sanchez was driving, and depart toward Martinsburg, West Virginia. A traffic stop initiated by VSP identified and seized the six kilograms of cocaine HERNANDEZ-Sanchez obtained from GODINEZ.

25. On February 1, 2018, law enforcement executed search warrants at 131 Kimway Drive, Axton, Virginia, 709 Daniel Road, Axton, Virginia, 1111 Hobson Road, Axton, Virginia, 485 Robertson Ridge Road, Axton, Virginia, 1579 Robertson Ridge Road, Axton, Virginia, 4345 Martin Drive, Axton, Virginia, and 4349 Martin Drive, Axton, Virginia. The search warrants yielded multiple guns, five kilograms of cocaine, and five pounds of marijuana. The search warrant at 1579 Robertson Ridge Road, Axton, Virginia yielded a hand written document, dated October 28, 2017, documenting the sale of 697, 701, 709 Daniel Road, Axton, Virginia, from Davenport to Santacruz-Godinez.

26. On August 8, 2018, DEA RRO interviewed Davenport in reference to the handwritten document.

27. Davenport rented 709 Daniel Road, Axton, Virginia, to GODINEZ for approximately twelve years.

28. During GODINEZ's rental of 709 Daniel Road, Axton, Virginia, and since his purchase of the property, he has engaged in drug distribution from 709 Daniel Road, Axton, Virginia, and used the property to facilitate and in furtherance of his drug distribution scheme.

29. These facts and additional facts are stated in the attached Declaration of Task Force Officer Christopher N. Young, DEA, and are incorporated by reference.

WHEREFORE, the United States of America prays that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendant property to be condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

THOMAS T. CULLEN
United States Attorney

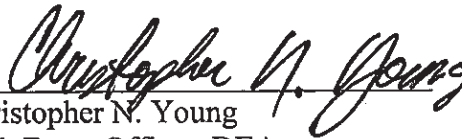
/s/Krista Consiglio Frith
Assistant United States Attorney
Virginia Bar No. 89088
310 First Street, S.W., Room 906
Roanoke, VA 24011
Phone: (540)857-2250
Fax: (540)857-2614
krista.frith@usdoj.gov

VERIFICATION

I am a Task Force Officer with the Drug Enforcement Agency, and one of the officers assigned the responsibility for the above-captioned matter. I have read the contents of the foregoing Complaint for Forfeiture, and the statements contained therein are true to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of March, 2020.


Christopher N. Young
Task Force Officer, DEA

Attachment A

All those certain lots or parcels of real estate, situated near Axton, in Henry County, Virginia, and being bounded and described separately as follows, to-wit:

Tract #1: Beginning at a point marking the Northeast corner of a tract of land formerly conveyed to Annie Ruth Wilson, and being the Southeast corner of the tract described herein below as Tract #2, the said point being S. 89° 30' W. 101.5 feet from a point in the East line of the Old Danville Highway at the Northwest corner of the tract formerly conveyed to Annie Ruth Wilson as above mentioned; thence with the line of the property formerly conveyed by J.S. Moxley and wife, Ethel Moxley, to the said Annie Ruth Wilson, N. 89° 30' E. 267 feet to the Northeast corner of the said Annie Ruth Wilson's property; thence N. 15° 15' W. 165 feet; thence S. 89° 30' W. 267 feet to the point of beginning, containing 98/100 of an acre, more or less, as shown on a survey thereof, prepared by J. A. Trent, C.L.S., February 7, 1945.

Tract #2: All that certain tract or parcel of land containing 1.01 acres, more or less, situated near Axton, in the Iriswood District of Henry County, Virginia, being the Northern and remaining portion of a tract originally containing 1-1/2 acres, which was conveyed to the said Douglas G. Moxley by deed from L. E. Haley and wife, dated October 27, 1943, and of record in said Clerk's Office in Deed book 74, page 32, from which the said Douglas G. Moxley and wife conveyed to Annie Ruth Wilson the Southern portion thereof, containing 49/100 acre, by deed dated February 20, 1945, of record in said Clerk's Office in Deed Book 76, page 326, the land hereby conveyed being situated on the East side of the Old Danville Highway and North of the 49/100 acre tract conveyed to Annie Ruth Wilson, above mentioned;

Parcel ID: 166190001 (Prop. ID)

WESTERN DISTRICT OF VIRGINIA
ROANOKE, VIRGINIA

AFFIDAVIT

I, Christopher N. Young, a Task Force officer with the Drug Enforcement Administration (DEA), Department of Justice, Roanoke, VA, being duly sworn, states as follows:

1. I have been a Task Force Officer with the United States Drug Enforcement Administration (DEA) since October 2008. I am currently assigned to Enforcement Group 25, Roanoke Resident Office (RRO), of the DEA Washington Division Office and have been employed by the Henry County Sheriff's Office for over 19 years. I have received training in all areas of narcotics investigations including search and seizure laws and statutes pertaining to enforcement of the Controlled Substances Act. Since becoming a DEA Task Force Officer in 2008, I have conducted and assisted other law enforcement officers in conducting numerous narcotics investigations that have resulted in the arrest and conviction of numerous individuals.

2. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7). I am, therefore, an officer of the United States who is empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 21. I have conducted investigations into the unlawful possession, possession with the intent to distribute, distribution of controlled substances, and the associated conspiracies in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

3. Based on my experience and training I am familiar with the methods, operations, and schemes commonly used by individuals involved in the violations of the federal controlled substances and narcotics statutes.

FACTS AND CIRCUMSTANCES

4. The statements in this affidavit are based in part on information provided by members of other law enforcement agencies and on my own experience and background as a

Task Force Officer of the DEA. Since this affidavit is being submitted for the limited purpose of a civil forfeiture complaint, I have not included each and every fact known to me concerning the investigation set forth in this affidavit. I have set forth only the facts that I believe are necessary to establish probable cause that the adjoining properties and residence thereof, identified as **697, 701 and 709 Daniel Road, Axton, Virginia** were utilized by the property owner, Jose Alfredo Santa Cruz GODINEZ, for the purposes of Conspiring to Distribute and Distributing Cocaine and Methamphetamine in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

THE INVESTIGATION

5. During the past three years, Special Agents of the DEA RRO have conducted an investigation of cocaine and methamphetamine trafficking activities of Jose Alfredo Santa Cruz GODINEZ and others. This investigation identified Jose Alfredo Santa Cruz GODINEZ as an upper-level cocaine and methamphetamine dealer who was a member of a criminal organization that was being supplied with multiple pound quantities of cocaine and methamphetamine by the Jalisco Cartel New Generation (CJNG) in Mexico. The investigation has revealed that members of the CJNG organization actively participated in trafficking of multiple pound quantities of methamphetamine and cocaine in the Axton, Virginia area. The members of the CJNG organization contacted GODINEZ's Drug Trafficking Organization (DTO) to arrange for the purchase of cocaine and methamphetamine to be picked up by members of the organization in the Axton, Virginia area. Based on investigative results as set forth hereafter, there is probable cause to believe that GODINEZ' DTO personally utilized the adjoining properties and residence thereof, identified as **697, 701 and 709 Daniel Road, Axton, Virginia**, to Distribute Cocaine and Methamphetamine in violation of Title 21, U.S.C., Sections 841(a)(1) and 846.

6. On May 17, 2016, DEA Riverside District Office (RDO) contacted DEA RRO

with information of a cocaine delivery in the Danville, VA area scheduled for the following day. DEA RDO provided a photo of a red tractor trailer and a white trailer that was to make the delivery to DEA RRO. On May 18, 2016, the DEA RRO surveillance team observed the red tractor and white trailer bearing Utah tag #, 84084, registered to Sergio VALDEZ of 6809 S 2700 West Jordon, Utah, meet a silver Chevrolet Impala in Danville, VA off Route 29. The DEA RRO surveillance team then observed the red tractor trailer travel south out of Danville, VA. The DEA RRO surveillance team along with digital surveillance placed the Chevrolet Impala at **709 Daniel Road, Axton, VA**. On May 19, 2016, Intelligence obtained by DEA RDO was relayed to DEA RRO, stating VALDEZ had delivered 30 kilograms of cocaine to the courier that travelled to **709 Daniel Road, Axton, Virginia**.

7. On May 25, 2016, the Federal Bureau of Investigation (FBI) Portland, Oregon Field Division Office contacted DEA RRO in reference to a Title III investigation of Francisco NUNO-URENDA, involving a scheduled Methamphetamine delivery. Based on information received, GODINEZ had recently received 4 kilograms of cocaine from NUNO-URENDA and was the intended recipient of the Methamphetamine. Portland FBI intercepted calls that indicated the courier would be driving a black Ford Taurus and would be arriving at Family Dollar, located at 3465 A.L. Philpott Hwy, Axton, VA. During surveillance, a Nissan arrived bearing VA tag VMD-3834, registered to Luis Manuel GONZALEZ of **709 Daniel Road, Axton, Virginia**. Intercepted phone calls between NUNO-URENDA and GODINEZ indicated an undercover police officer had been observed at the Family Dollar. The information was relayed to DEA RRO and the officer left the area. Intercepted calls between NUNO-URENDA and GODINEZ, indicated the courier had gotten lost and was instructed to stay at a local motel and make the delivery the following day. On May 26, 2019, Portland FBI intercepted calls from NUNO-URENDA and the courier. The courier was instructed to make the delivery at Gravelly

Salvage Yard located at 820 Daniel Road, Axton, VA, approximately 200 yards from **709 Daniel Road, Axton, VA**. During surveillance, a red Ford truck bearing VA tag, TX257-207 registered to Carlos VALERIA-GONZALEZ of **709 Daniel Road, Axton, Virginia**, was observed suspiciously traveling through the local business area nearby as if conducting counter surveillance. DEA RRO located the black Ford Taurus of the courier, bearing Georgia tag # QBR-3217, parked at Comfort Inn in Collinsville, VA. Two females were observed leaving Comfort Inn in the Ford Taurus toward **709 Daniel Road, Axton, Virginia**. The Virginia State Police (VSP) conducted a traffic stop on the black Ford Taurus for a window tint violation prior to arriving at **709 Daniel Road, Axton, Virginia**. A VSP narcotics K9 was present during the traffic stop and reacted with a positive alert for the presence of the odor of narcotics. A search of the vehicle revealed two, hollow, decorative, ceramic owls, both containing approximately 2.4 pounds of Methamphetamine intended for delivery at **709 Daniel Road, Axton, Virginia**.

8. On October 8, 2016, DEA RRO installed a pole camera with a view of the driveway to the residence of **709 Daniel Road, Axton, Virginia**. This camera was installed to aid the DEA RRO in the investigation of money and/or drug transactions of GODINEZ and co-conspirators.

9. On March 23, 2017, DEA RRO received information from DEA Columbia District Office (CDO) in reference to a traffic stop of a white Mazda 3 in Mobile, Alabama on February 22, 2017. The traffic stop resulted in a seizure of \$229,560.00 in U.S. currency. An occupant in the vehicle was identified as Justin Lee HAVELKA. A download of HAVELKA's phone revealed a text message from telephone number 276-734-7274, sent to HAVELKA just prior to the \$229,560.00 seizure. On February 18, 2017, a text message from 276-734-7274 was sent to HAVELKA's phone which read "709 Daniel Rd Axton VA 24054". DEA RRO Agents checked pole camera footage on February 18, 2017, was unable to determine, due to poor

lighting, if the white Mazda 3 arrived at **709 Daniel Road, Axton, Virginia.**

10. On December 4, 2017, the DEA RRO was notified by the DEA Winchester Resident Office (WRO) of an anticipated trip by Guadalupe IBARRA-Ayon from the Winchester, Virginia Area. IBARRA-Ayon would be driving gray 2004 Acura bearing VA tag # VPV-4606, to **709 Daniel Road, Axton, Virginia**, to obtain approximately five kilograms of suspected cocaine. On December 5, 2017, the DEA RRO established surveillance on IBARRA-Ayon when he arrived in the area. IBARRA-Ayon travelled to **709 Daniel Road, Axton, Virginia**. A red Chevrolet Impala arrived at **709 Daniel Road, Axton, Virginia** shortly after IBARRA-Ayon. Three minutes passed and the red Chevrolet Impala exited **709 Daniel Road, Axton, Virginia**. Ten minutes later, IBARRA-Ayon exited **709 Daniel Road, Axton, Virginia** and returned to Winchester, Virginia area.

11. On February 1, 2018, the Federal Bureau of Investigation (FBI) Martinsburg Office (MO) notified DEA RRO in reference to their Title III Investigation involving an anticipated narcotics-related trip by Eduardo HERNANDEZ-Sanchez to Axton, Virginia area to meet with the GODINEZ' DTO. DEA RRO established surveillance on HERNANDEZ-Sanchez and observed HERNANDEZ-Sanchez travelling in a black Chevrolet Avalanche, bearing WV tag # OZV-237, to 1579 Robertson Ridge Road, Axton, Virginia. DEA RRO surveillance team observed HERNANDEZ-Sanchez follow a dark blue Nissan Sentra believed to be driven by GODINEZ from 1579 Robertson Ridge Road, Axton, Virginia to 131 Kimway Drive, Axton, Virginia. DEA RRO surveillance team observed HERNANDEZ-Sanchez place a package in the rear bed area of the Chevrolet Avalanche and leave 131 Kimway Drive, Axton, Virginia after approximately 40 minutes. HERNANDEZ-Sanchez appeared to be en-route to the Martinsburg, West Virginia area. DEA RRO surveillance observed GODINEZ returned to 1579 Robertson Ridge Road, Axton, Virginia. VSP initiated a traffic stop on HERNANDEZ-Sanchez on route

220, just North of Boones Mill, Virginia. Six (6) kilograms of cocaine were seized from the rear bed area of the Chevrolet Avalanche. HERNANDEZ-Sanchez was arrested. Later that same day, FBI MO with the assistance of DEA RRO, DEA WRO, VSP, the Federal Bureau of Alcohol Tobacco Firearms and Explosives (ATFE), and multiple local agencies executed Federal search warrants at 131 Kimway Drive, Axton, Virginia, **709 Daniel Road, Axton, Virginia, 1111 Hobson Road, Axton, Virginia, 485 Robertson Ridge Road, Axton, Virginia, 1579 Robertson Ridge Road, Axton, Virginia, 4345 Martin Drive, Axton, Virginia, and 4349 Martin Drive, Axton, Virginia.** The search warrant at 131 Kimway Drive Axton, Virginia yielded five (5) kilograms of cocaine, a long gun and a .380 caliber handgun. The search warrant at 485 Robertson Ridge Road, Axton, Virginia yielded five pounds of marijuana, a shot gun and a 9mm handgun. The search warrant at 1579 Robertson Ridge Road, Axton, Virginia yielded a hand written document referencing Mariana DAVENPORT selling the adjoining properties of **697, 701, 709 Daniel Road, Axton, Virginia** [Tax I.D. #s 55.2(000)000/79 and 55.2(000)081] to Graciela SANTA CRUZ-Godinez on 10/28/2017.

12. On August 8, 2018, DEA RRO interviewed DAVENPORT in reference to the hand written document of DAVENPORT selling the adjoining properties of **697, 701, 709 Daniel Road, Axton, Virginia** [Tax I.D. #s 55.2(000)000/79 and 55.2(000)081] to Graciela SANTA CRUZ-Godinez on 10/28/2017. DAVENPORT stated she originally rented **709 Daniel Road, Axton, Virginia** to a Hispanic male she knew as "Ricardo" last name unknown (It is believed that Ricardo is Jose Alfredo Santa Cruz GODINEZ). DAVENPORT stated Ricardo rented **709 Daniel Road, Axton, Virginia** from DAVENPORT for approximately 12 years. Ricardo's sister, Graciela SANTA CRUZ-Godinez, approached her (DAVENPORT) and wanted to purchase the properties of **697/701/709 Daniel Road, Axton, Virginia** from DAVENPORT. DAVENPORT agreed to sell the adjoining properties of **697/701/709 Daniel Road, Axton,**

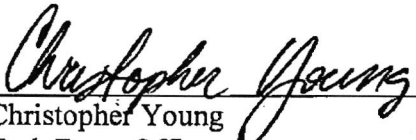
Virginia to SANTA CRUZ-Godinez for \$36,000. DAVENPORT stated, on 10/28/2017, SANTA CRUZ-Godinez paid DAVENPORT \$21,000, in cash, as a down payment for the adjoining properties of **697/701/709 Daniel Road, Axton, Virginia**, Tax I.D #s 55.2(000)000/79 and 55.2(000)081, as described on the attached hand written document. DAVENPORT stated the following week, DAVENPORT was paid the remaining \$15,000, by SANTA CRUZ-Godinez, in cash, for the properties of **697/701/709 Daniel Road, Axton, Virginia**. As of the writing of this affidavit the properties of **697/701/709 Daniel Road, Axton, Virginia**, remain in DAVENPORT's name.

CONCLUSION

13. Based on the foregoing facts and circumstances, it is my belief that the properties located at **697/701/709 Daniel Road, Axton, Virginia**, which are joined, are owned by Jose Alfredo Santa Cruz GODINEZ and were used to facilitate the sale, receipt, possession, and concealment of methamphetamine, a controlled substance, in violation of Title 21, U.S.C., Sections, 841(a)(1) and 846. Therefore, the residences are subject to forfeiture to the United States pursuant to Title 21 United States Code, Section 881(a)(7).

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 4th day of March, 2020.


Christopher Young
Task Force Officer
Drug Enforcement Administration
Roanoke, Virginia

10.28.17

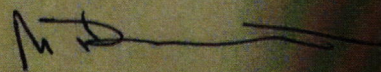
697 - 701 - 709 DANIEL RD. AKTON VA

TAX I.D. 55.2 (000) 000 | 79
55.2 (000) 000 | 081

INSTRUMENT # 040005284

RECORDED 7/29/2004

I, MARIANNA DAVENPORT Am Selling
To: Graciela Santacruz-Godinez TRACT 1 &
TRACT 2 of my property At 701-709 & 697
DANIEL ROAD FOR THE SUM OF
36,000.00 DOLLARS. A 20,000.00 payment
is Being paid ON 10.28.2017 & the
Balance of 16,000.00 is to be paid
ON 11.4.2017. This will included the
House, TRACT and ALL utilities owned
By ME.


MARIANNA DAVENPORT
Graciela Santacruz-Godinez

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Krista Consiglio Frith, USAO

DEFENDANTS

697, 701, & 709 Daniel Road, Axton, VA 24054

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
21 U.S.C. 881
Brief description of cause:
Civil Forfeiture

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

03/04/2020

SIGNATURE OF ATTORNEY OF RECORD

s/Krista Consiglio Frith

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____